



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**PRICE DANIEL  
ATTORNEY GENERAL**

April 28, 1947

Hon. Jack C. Altaras  
County Attorney  
Johnson County  
Cleburne, Texas

Opinion No. V-171

Re: Canvassing of election  
returns of trustee el-  
ection in the rural  
high school districts.

Dear Sir:

We refer to your letter of recent date acknowledged by the Attorney General on April 16, 1947, wherein you request an opinion of this office on the following submitted subject matter and question:

Several common school districts were grouped in accordance with Article 2922a, V.C.S., with one independent school district, and now is known as a rural high school district. This high school district has less than 500 scholastics, and remains under the supervision of the County School Superintendent.

Query: What body should canvass the returns and declare the results of elections for trustees of a rural high school district.

We assume, for purposes of this opinion, that the rural high school district in question was legally created under provisions of statutes, Articles 2922a and 2922c, V.C.S., governing the establishment and creation of rural high school districts.

Under the provisions of Article 2922b, V.C.S., a rural high school district is classified as a common school district. Further, a rural high school district has been so considered and treated as a common school district in the cause styled, Mt. View Common School District vs. Blanco County Board, etc., 149 S.W. (2) 224, writ dismissed.

Article 2774a, Section 4, V.C.S., provides

that the control and management of the schools of a rural high school district shall be vested in a Board of seven trustees, elected by the qualified voters of the district at large, who shall be elected and serve in accordance with the provisions of the general law relative to common school districts, except as otherwise provided.

Thus, the election procedure to be followed in the election of rural high school district trustees, is controlled by the laws governing the election of common school district trustees. In Opinion No. O-4446, a copy of which is attached hereto, this Department advised that the Commissioners' Court should canvass the returns of trustee elections of common school districts in accordance with provisions of Article 2746a, V.C.S.

Accordingly, it is the opinion of this office that the Commissioners' Court should canvass the returns and declare the results of elections for trustees of rural high school districts.

SUMMARY

The Commissioners' Court should canvass the returns of trustee elections in rural high school districts in accordance with the provisions of Article 2746a, V.C.S.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Chester E. Ollison*  
Chester E. Ollison  
Assistant

CEO:djm:wb  
Enclosure

APPROVED APRIL 28, 1947

*Price Daniel*  
ATTORNEY GENERAL OF TEXAS